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Honolulu, H. I.

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And Agent to take Acknowledgments.

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1856-y

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## CLOSE OF SPECIAL SESSION.

Both Houses May Adjourn Sine Die  
on Next Saturday.

ACTION ON SAKI GOES OVER.

Cable Enabling Act Passed by the House.  
Item for Translating and Proof-Reading  
Considered Excessive and Referred Back—Military Bill in House.

FORTY-FOURTH DAY, AUGUST 5TH.

A communication from the House was read, giving notice of the passing of the Cable Enabling Act, and adoption of report of Joint Committee on the Land Act.

A letter from the Board of Fire Underwriters relating to the Kerosene withdrawal Act was read

## CABLE BILL IS DISCUSSED.

Rep. Hanuna Ready to Die When Annexation and Cable Comes.

SUNDAY CONCERTS DON'T GO.

Strong Arguments in Favor of Having Sacred Music on the Sabbath—Rep. Robertson Loses Some Plain Words on the Subject—Short Session of Senate.

FORTY-SECOND DAY, AUGUST 2D

The Labor Commission Act was taken up and House amendments to the same concurred in.

Bill exempting public libraries from taxation came up for third reading. Senator McCandless moved to amend by including property of the Y. M. C. A. in Honolulu. This property had not been assessed up to the present year. Senator Baldwin favored the amendment. The bill was referred to the Finance Committee.

At 10:10 o'clock the Senate adjourned until 10 o'clock Saturday morning.

## House of Representatives.

Rep. Richards presented the minority report on Sunday afternoon concerts, as follows:

"As a member of your committee, to whom was referred the joint resolution requesting the Minister of Foreign Affairs to order the Government band to give concerts Sunday afternoons, I would now present a minority report recommending the adoption of the resolution."

Rep. Winston presented the following report on Bill No. 12:

"Your Committee on Commerce, to whom was referred Senate Bill No. 12, has had the matter under careful consideration and are unable to recommend the passage of the bill, for the following reasons:

"1. The bill does not clearly show on whose behalf, or for whose account the cable or cables are to be built, whether of the Government, or of the company that constructs and operates them."

"2. It does not expressly provide, as it should, that its connection in the Hawaiian Islands in the case of a foreign cable, shall be on the Island of Oahu, or some other habitable island of the Republic.

"3. It does not limit the time or period, in case the cable is owned by a company, that the contract with such company shall be made for.

"4. It does not provide for obtaining an estimate of the cost of (first) the cable itself, (second) of laying it, (third) of maintaining it, (fourth) of a repair ship and of operating such repair ship.

"The committee recommend the introduction of a new bill (which will remove the objections raised) in place of the one before the House."

Report laid on the table to be considered with the bill.

Consideration of resolution on Sunday afternoon band concerts recommended. House concluded to await the arrival of Rep. Rycroft, the introduction of the resolution.

Bill 12 read by title. Report of committee considered.

Rep. Hanuna thought the bill was a good one, the committee thought they knew more than the whole Senate.

Rep. Winston endorsed the remarks of the previous speaker, but as the committee report showed the bill to be full of irregularities, it should be corrected.

Rep. Robertson questioned the report of the committee. He likewise thought the cable question a great thing, second only to that of annexation. The committee wanted a new bill just because there happened to be a few irregularities. If they wanted a new bill it was their business to present one, instead of simply recommending. The member then moved that the bill be taken up on second reading. Carried.

Rep. Rycroft was in favor of the cable, but he had learned from reliable sources that subsidizing alone would cost the Government some \$500,000. Care should be taken. The pathway should be made clear before proceeding. Bills have been brought up in the American Congress for the building of a cable to the islands. They were all either defeated or deferred. The United States could grant a million dollars where Hawaii could only afford a thousand. The cable did not seem to him to be such an important thing as a great many supposed.

Rep. Robertson differed materially from the member from Puna. The importance of the cable could not be overestimated. The islands were likened to a ship, carrying one-fourth of the coal, going at one-fourth the rate of speed and having one-fourth the number of passengers it could accommodate. If the full amount of coal were carried and the full amount of speed acquired, the number of passengers would be increased in proportion. The cable would be capable of doing this. The bill might have a few irregularities, but it should, as a whole, receive the approbation of the House.

Rep. Hanuna did not see the reason of becoming frightened at the first section as the member from Puna seemed to be. There should be confidence placed in the President and his Cabinet. His father before him had wished for the cable. He was following in the footsteps of his father and other illustrious Hawaiians. There were two things dear to the hearts of many Hawaiians—one was annexation, and another the cable now under consideration. When these two desirable objects shall have been attained, he would be ready to lie down and die.

Rep. Rycroft was sorry that the member from Maui thought he was afraid to be taken. He did not favor the railroads through of a bill mainly of so great moment.

Bill passed second reading without amendment. Motion passed that it be read the third time Saturday.

Rep. Kamaooha presented the report of the select committee appointed to consider Petition No. 14,

relating to roads through the homesteads at Wailau and Nine. The committee thought something should be done with respect to improvement of the same, but the petition had been handed in at such a late date that it was thought best to refer the matter to the Minister of the Interior, with the understanding that he insert an item in the appropriation bill for 1896 looking toward said improvement. Report accepted.

Rep. Rycroft presented the report of the committee appointed to consider Senate joint resolution relating to the Labor Commission. Committee recommended passage of same. Report adopted.

Joint resolution on the Senate joint resolution relating to the Labor Commission, read and passed.

Joint resolution on Sunday afternoon concerts, read.

Rep. Hanuna thought the resolution as introduced by the member from Puna might be desirable in many respects. The member from Puna thought that by the playing of the band the tired feeling of the workingmen would vanish. He could not, for his part, see the point to this. The member from Puna said "appropriate music" should be played. Supposed he meant church music by that. It was well known that church music was not very enlivening. That was not the kind of music the workmen desired. It might be better to get a lot of hula girls down here to furnish music instead of the band.

There were immediately objections from two members of the House. Rep. Rycroft informed the member from Hana that some of the finest music ever composed bordered on the sacred. "Do you think the devil has all the good music?" He has not," said Mr. Rycroft.

Rep. Hanuna thought the Sabbath should be observed as it should be in quiet and rest. The church was the proper place for workingmen—not the public square.

Rep. Rycroft said the intention of his resolution was to get the workingmen away from temptation and out of the thoughts of business and toil. He knew of places where whiskey could be obtained on Sunday. He wanted to keep the men away from such places. The children were in his thoughts too. The speaker gave an incident which he noticed at a band concert a few evenings since. A workingman and his wife were there with their child. It was time for the latter to be in bed. Naturally the child went to sleep. It became necessary for the parents to take the little one home, thus spoiling the evening's entertainment for them. Had the concert been in the afternoon, this would not have happened. Rep. Rycroft wanted members of the District Court appeals be laid on the table. The report was adopted.

Senator Schmidt read a letter from the Viticultural Commission of California praying for relief. The letter claimed that the California wine trade had suffered greatly through the large imports of saki to this country and asked that a duty be placed on that Japanese drink or any other wine not made from grapes. The letter was referred to the Committee on Commerce.

Senate Bill No. 13, relating to motions for new trials, passed second reading.

The bill exempting public libraries from taxation came up. The committee's amendment which included the Y. M. C. A. caused much discussion.

Minister Damon said it was a mistake to exempt sectarian institutions from taxation. The claim was made that the Y. M. C. A. was not a sectarian body; he considered it as such notwithstanding. It was an evangelical association pure and simple.

Senate Bill No. 13, relating to motions for new trials, passed second reading.

Rep. Rycroft wanted to make it a joint resolution. A committee should be appointed to ascertain the cost. The resolution provided for twenty-five copies. What would be done with the extra copies?

Rep. Rycroft thought twenty-five enough—one each for the Executive and members and officers of the House.

Rep. Richards wanted to know where the Senate figured in the deal.

Rep. Rycroft answered that the Senate was not in it.

Rep. Robertson thought a joint resolution should not be favored. The Senate would get ahead of them on a joint vote, as it had been doing steadily. The Senate could act separately.

Rep. Kamaooha obtained leave to amend his motion, limiting the expense to \$125. Resolution carried as amended.

Rep. Kamaooha was given two weeks leave of absence.

At noon the House adjourned till 10 o'clock Monday morning.

## WANT A DUTY PUT ON SAKI.

Letter from California Viticultural Commission Read in Senate.

## Y. M. C. A. MUST PAY TAXES.

Clause in Amended Hawaiian Tramways Company Act Giving Minister of Interior Power to Discharge Motormen Stricken Out—Record of Legislature

## FORTY-THIRD DAY, AUGUST 3D.

Printed copies of L. A. Thurston's report on cable matters were distributed.

Senator Hocking, for Committee on Passed Bills, reported that the resolution referring to electric railways and Senate annexation resolution had been handed to the President for his approval.

Senator Waterhouse, for Finance Committee, recommended an amendment to the bill exempting public libraries from taxation; the amendment included the Honolulu Y. M. C. A.

Senator Brown, for Judiciary Committee, recommended that the bill regulating District Court appeals be laid on the table. The report was adopted.

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President for consideration. The joint resolution on registration of male residents of Hawaii was in the hands of the committee; it was their opinion that the signature of the President was unnecessary. It might be handed to him for information.

Rep. Hanuna introduced a resolution asking the Minister of the Interior to take steps toward removing the powder magazine from the present location. It was a menace to people in the vicinity. A petition had been presented to the Cabinet for consideration. No action had been taken. The Minister of the Interior did not seem to appreciate the danger.

Rep. Rycroft asked that a committee be appointed to investigate the matter. Perhaps there was no cause for alarm.

Rep. Bond furnished the information that the Government had considered the matter, but no suitable place for locating the powder magazine could be found.

Rep. Kamaooha said the powder magazine had been in its present position for a long time. Houses were erected in the neighborhood long after the building of the magazine. No explosion has yet taken place.

Rep. Rycroft moved for an indefinite postponement of the resolution. The Minister of the Interior knew of the matter and the Government had it under consideration. Carried.

Rep. Robertson, under suspension of the rules, read the report of the Committee on Public Lands relating to Land Act. Adopted.

Rep. Kamaooha made a motion for suspension of the rules in order to introduce a resolution. Carried. He wanted to know if the members favored having a record of the session in pamphlet form, gotten up by a person having no connection with the House, the clerk's duties being too arduous to undertake the work.

The proposition did not seem to find favor among the members. Several considered it unnecessary. The matter was dropped.

Cable bill passed third reading.

Rep. Kamaooha introduced a resolution authorizing the purchase of twenty-five copies of a report of the session, to be published by Frank Godfrey, the pamphlet to contain photographs of members of the Legislature.

Rep. Hala had no doubt of the usefulness of the book, but he did not approve of using public money for the same.

Rep. Rycroft was not in favor of voting public money for such expenditure. If the book could be obtained by a guarantee of pay for twenty-five copies by the House he would support the resolution.

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## 523 FORT STREET.

In the Supreme Court of the Hawaiian Islands.

JUNE TERM, 1895.

BEFORE JUDGE O. J. FEAR, J., AND CIRCUIT JUDGE WHITTING, WHO SAT IN PLACE OF BICKERTON, J., ABSENT FROM ILLNESS.

KAPUAKELA VS. IAEA, ET AL.

There being sufficient evidence to sustain the verdict, a new trial is refused.

To entitle appellant to argue any assignment of error, it must appear on the face of the bill of exceptions, and he is not entitled to be heard or to rely upon any error not appearing therein.

Upon the face of the bill there were set forth the following words: "The exceptions noted by defendant's counsel as appears by the stenographer's notes" are hereby referred to and made a part of this bill of exceptions, but not the actual exceptions alleged to have been taken. Held, that those words cannot be construed to cover the omission to set out the alleged errors in the bill itself.

OPINION OF THE COURT BY CIRCUIT JUDGE WHITTING.

The plaintiff sues in ejectment to recover one half of certain land at Ewa, Oahu, claiming as heir of Liliu the patentee, and produced evidence tending to show that she and Pilipo were at a certain period in his life time the sole equal heirs surviving of Kaapaahili, a brother of the patentee. Pilipo died about 18 months ago but just before his death conveyed the whole of the premises to defendant Iaea. The charge of the Court confined the issue to the question of pedigree. A verdict was rendered in favor of plaintiff for one half of the premises and defendant duly excepted thereto and moved for a new trial on the ground that the verdict was contrary to the law and the evidence, and the motion was overruled, and defendant excepted.

The jury are the judges of the evidence, witnesses and facts, and we can now only examine the case so far as to see whether there was evidence produced before the jury upon which they could base their verdict. We find that there is ample evidence.

Testimony of Hoaliiamau. In answer to Mr. Kinney.

I live at Ewa, was born at Waiawa. I know the land in dispute. My home is about two miles from this land. I was born in 1838. I know this girl. I knew her parents before she was born and knew her when she was born. Her father was Kamai and her mother Kamealani. They were six children in the family of Kaapaahili. Kamai was the oldest. He was born before they came to Ewa, he was brought down from Molokai. Liliu and Hoaai my father came and then Kaapaahili and his wife came. This boy Kamai came down with them from Molokai and became the father of this girl. Liliu was the patentee of this land. Kaapaahili and his wife and Liliu lived on the land and the children lived there with their parents. Liliu and Kaapaahili lived there together and this same woman in the same house on the land. My father said that Liliu and Kaapaahili were two brothers, the elder and younger one. I knew Kaapaahili. Liliu died at the time of the small pox, I don't remember seeing him. After Liliu died Kaapaahili lived on the land with his children and wife. At that time Pilipo was small. He was the fourth child. The first child was Kamai, the next a daughter Kiowai, the next a daughter Lili, the next was Pilipo and after Pilipo a daughter named Makamonamona and then a son named Luahine. Kiowai and Lili died. They never had any husbands or children. Makamonamona had no children but she had a husband named Aloeh. I think they were married because they lived together and in those times they were very strict about those matters and they must have been married. I assume they were married because they lived together. Makamonamona was a haunchback. Luahine was not married. He went up to Maui and lived with a woman. He came back and died and he had no children. Kamai had one child, this Ana Monamona. After Kaapaahili's death all these children lived on the land, Kamai and his brothers and sisters. Kamai died at Waiawa and he was buried on this land in question. His wife Kamealani died on the land in question. Kamai died first. After her husband's death she continued living on the land. All these people lived there equally, one was not living under the other.

Cross examination. I think Kaapaahili died in 1866. Keikikehane died about 1860. Liliu died of small pox in 1853. Kaapaahili told me that is what killed him. I never saw Liliu. Kaapaahili himself told me that they were two brothers that my father came with them from Molokai.

(This witness gave full testimony as to the family of Kaapaahili always living on the land in unison.)

Testimony of Kapuakela. My father was Kamai, my mother Kamealani. My father's parents were Kaapaahili and Keikikehane. Kaa-

paahili came from Molokai with Liliu his elder brother, the patentee of this land. My grandmother came from Molokai with Kaapaahili and Liliu. I don't know if Makamonamona has any band. She was a cripple. I was born and lived on the land in dispute. My parents lived there and my uncles and aunt. All of that family lived there together. I never heard that it had been given by Liliu to Pilipo to the exclusion of the other children. We all lived there equally. Never heard my right to live there disputed until after the sale made by Pilipo to Iaea. Pilipo is dead over a year and the deed was made a few days before his death. Pilipo in his life time never to my knowledge asserted an absolute ownership to that property. Pilipo had a memorandum of the time of my birth but since his death it cannot be found. I heard about all these people from my own father and from Pilipo himself. They told me when I was born but I have forgotten. I never saw my grandfather or grandmother. I was never told the year that they died.

Lavinia Kapu testifies: She lived at Ewa from 1860; now plaintiff Kapuakela and defendant Iaea; known plaintiff for several years, from when she was a child, a small child. Plaintiff resided when I first knew her on the property before the Court today. At that time I first knew Kapuakela, Kamai was in possession of the land. I only heard that Liliu was uncle of Kamai. I only heard, I don't know the mother's name. There were two men that came from Molokai. I went to live at Ewa when I got acquainted with the children of Kaapaahili who was the father. I never knew the mother at all. Liliu was Kaapaahili's son, I heard that. Kamai had three brothers and sister. One was Kamai, Luahine, those were two boys; sister was Makamonamona. I heard of other children but I never knew them. Kamai married Kamealani, had one child Kapuakela. Kamai is dead. Pilipo is dead. Luahine and Makamonamona are dead. They left no children except Kamai. They were all unmarried as far as I knew except Kamai. I have talked with the members of that family about the events as they took place. I heard that the reason these two men came from Molokai was to play a game, maika with my husband; two men Liliu and Kaapaahili. Also the wife of Kaapaahili. Did not know the wife. That is all I heard about their coming down here to challenge my husband to this maika. I have heard Pilipo talk about it. I always heard that Liliu and Kaapaahili were kaiwana and kaiwaina; when I came to live down here both Liliu and Kaapaahili were dead and also the wife. When I first knew the family the members were Kamai, Pilipo, Luahine and Makamonamona. I know the land in dispute; they were all together on the land but he was the only one that had a house on the place. It was 1861 or 1862 that I first saw Kamai on the land using it. Kamai, Pilipo, Makamonamona and Luahine were brothers and sisters. I never heard that Liliu was not related to Kaapaahili grandfather of these children; I always heard that they were related. I heard about this relationship of Liliu and Kaapaahili from others and also from members of this family; all these children that I have named.

The defendant produced testimony in contradiction of plaintiff's testimony, the larger part of which was the testimony of several witnesses for the defendant who did not know the pedigree of this family, nor were they acquainted with the members of Pilipo's family when alive, but such testimony cannot prevail against that of witnesses who did know not only the pedigree but also the members of the family when alive.

This exception is overruled.

The above is the only assignment of error set out in the bill of exceptions. But there appears in the bill the following:

"The Clerk's minutes, the notes of evidence as taken by the stenographer, the exceptions noted by defendant's counsel as appears by the stenographer's notes," &c., &c., &c., "are hereby referred to and made a part of this bill of exceptions."

The defendant at the hearing before this Court on examination of the evidence picked out two exceptions to the admission of testimony and asked that they be considered as if set out in the bill. This cannot be allowed, all assignments of errors must appear on the face of the bill of exceptions and none others can be heard.

The words "The exceptions noted by defendant's counsel as appears by the stenographer's notes are referred to and made a part of this bill of exceptions" cannot be construed to cover the omission to set out the alleged errors in the bill itself. To entitle appellant to argue any assignment of error it must appear on the face of the bill and he is not entitled to be heard or to rely upon any error not appearing therein.

The alleged exceptions set forth in the stenographer's notes are as follows:

1st. Cross examination of Mrs. Lavinia Kapu.

Q. In regard to the relationship, what you heard about the relationship between Liliu and Kaapaahili, was it from your husband alone or from others?

A. I heard it from others and also from members of this family, all these children that I have named here.

Q. Is that the way you testified, or did you testify the same in the equity suit?

A. I think I did.

Q. And how about Kaapaahili's wife, did you see his wife?

A. No.

Q. So what you stated before is only what you heard from your husband?

A. From my husband.

Q. Not from the family but from your husband?

A. From my husband, he was well acquainted with them.

Motion to strike out on the ground that there is no proof that her husband was a member of the family of Liliu and Kaapaahili or of the family of Pilipo and Kamai.

The Court. I think she has now qualified herself to be a witness. Motion disallowed. Exception.

2d. From the stenographer's notes of evidence, counsel for defendant selected from the testimony of Iaea the defendant the following:

Iaea. I have the land in my possession now and hold it under a deed from Pilipo.

Testimony as to contents of deed objected to; objection sustained; evidence stricken out.

Cross-Examination.

Mr. Kinney. Did Pilipo make a deed to you? Objected to, objection overruled. Exception. (iae). Pilipo made a deed to me of this property. This is the deed.

But these alleged exceptions could not avail the defendant. As to the first, the evidence moved to be stricken out should have been specially stated in detail, and a motion to strike out evidence of a witness generally must be overruled where there was other evidence given by that witness which was proper. In this instance, evidence given by witness as to pedigree obtained from members of the family was admissible and the mere fact that she also heard the same matters from her husband an improper source of testimony he not being of the family cannot destroy her proper evidence. If there was any evidence which she gave as coming from her husband only, then that should have been specified to the Court and a ruling obtained thereon. The alleged exception was not properly taken by appellant.

2d. The question on cross-examination—"did Pilipo make a deed to you" is clearly a proper question. The defendant had already on direct examination testified that "I have the land in my possession now and hold it under a deed from Pilipo," and the foundation was laid by defendant himself for the plaintiff to call for the deed.

Carter & Kinney for plaintiff; J. A. Magoo for defendants.

Honolulu, July 26, 1895.

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in the meshes of disease. The list is long. Consumption has a small beginning—a cough or cold is the commonest.

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will afford relief at once, and positive cure. But don't neglect a cough. The older the cough the harder to cure—that's experience. The fact that PUTNAM'S has cured others is the best reason you should take it—now.

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**Hawaiian Gazette****SEMI-WEEKLY.**

TUESDAY, AUGUST 6, 1895.

EX-MINISTER THURSTON in his report to the Executive on cable matters, gives a good resume of the situation at present and some excellent suggestions as to the manner in which this Government shall go to work to find out what it needs to know, viz: what nation or what private company will join forces to help put the thing through and also what the cost will be. Half-hearted attempts have had their place in history, let the future see a straightforward, business-like movement to say the least.

THE PORTLAND OREGONIAN says Joseph Cook was treated as he deserved in Honolulu and goes on to style the lecturer as a presumptuous mountebank, whose impudence and arrogance are no longer endured in the United States. This is treating the lecturer to pretty harsh criticism, which even Honolulu people will not be inclined to sanction. Mr. Cook has very good ideas, but like every one else he is liable to mistakes in the manner in which he places them before the public.

APROPOS of Minister Castle's letter concerning his connection with this paper, an evening contemporary says that "with knowledge of certain facts in this connection," it is in a position "of readily conceding that the gentleman possesses in a high degree at least one of the qualities popularly attributed to a diplomat." There is no mistaking the inference cast upon Minister Castle by these ill-timed words. The authors of this squib cannot, nor have they the moral courage to attempt to prove that W. R. Castle has inspired or influenced the editorial utterances of this paper or any other publication of the Hawaiian Gazette Company.

THE CITIZENS OF TORONTO, Ont., are arguing the Sunday observance question with considerable warmth—the restriction party expresses its opinions as follows: "If we convert our Sabbath into a day of amusement and pleasure, as suggested, the laws will no longer be so rigidly respected, the churches will no longer be thronged with devout worshippers; the tavern would not long be silent and a welcome retreat for weary travelers, and loafing would soon cease to be a disgrace. Fences and street corners would be contrivances for the lazy, the curious and the insulting. The grog-shops would soon be noisy, the jail full and the church comparatively silent. The parks on Sunday would be scenes of confusion, and the day would probably end in rows, drunken, illegal, boisterous and brutal. We have the record of the American cities where such scenes take place."

EXEMPTION of the Y. M. C. A. from taxation because it has a reading room and is open to the public would be a very philanthropic move on the part of the Government, and it would also be one of the poorest strokes of policy imaginable. No one doubts the good moral influence of this association in the community or fails to recognize its right to appeal to public benevolence, but the same truths may be held good in any number of institutions throughout the country, and once the Government started granting funds, there is no telling where the line could be drawn without injustice being done some sect or organization. While the Y. M. C. A. is not necessarily established for sectarian purposes, it is under sectarian patronage. Add to this Government patronage and, as Minister Damon said, the opening wedge is entered for trouble—some serious complications I should most assuredly be the result of the Government to keep as far as possible from the use of its authority of public funds for religious institutions.

**THE CHRISTIAN ENDEAVOR.**

At each annual gathering of Christian Endeavor Societies in the United States, the wonderful and ever increasing power of this arm of the church is impressed anew upon the world of religious workers. Far from becoming unwieldy and broken by the sectional bias of sectarianism, the numerical increase has been attended with an increasing unity of spirit that has joined the youthful religious forces of the world in a solid phalanx laboring in behalf of virtue and morality. The president's report made at the recent convention in Boston showed that in the fourteen years of its existence this organization has grown from one society to 40,000, and from a membership of fifty-six to 2,500,000. While various sectarian dignitaries have stopped by the wayside to discuss and quarrel over the "new church" and revision of creeds and dogmas, the Christian Endeavor Society has gone forward with its work in every portion of the civilized world steadily gaining new recruits to the church that knows no principle to guide religious life higher or better than the broad principles laid down in the life of Christ—the only church that ought ever have existence.

The motto of the society, "One is your master, even Christ, and all ye are brethren," forms a platform or creed on which every shade of personal eccentricities in religious belief may meet in perfect harmony. There are no forms and ceremonies; the society strives "to make the world better, and therefore happier," leaving to the individual the right of interpreting the specific Biblical teachings according to the dictates of his own conscience. The Christian Endeavor is liberal, but it is not the liberality that courts license. Now, the arm of the church, it is not unreasonable to look upon the society as the arm that may, in the course of years, revolutionize the church and wipe out sectarian lines in the personnel of the great universal church of the future.

**DRIVES AND INTERNATIONAL POLITICS**

A steady and for the most part healthy business revival is in progress throughout the United States and England, the only barrier in the way of advance being an occasional war rumor which causes the cautious capitalist to hold his money in safe investment rather than risk it in profitable speculation.

Notwithstanding the rumors the conservative financiers are not inclined to anticipate an outbreak of hostilities in the near future. Money, a London journal, gives an excellent review of the situation, holding that while it would be too optimistic to state that there is no danger, there is no nation prepared to risk war and more particularly to assume the initiative. The late Czar made preparations for war but they are not complete. "Russia in the East" is regarded as the disquieting element but it is not considered that that power will meet with forcible resistance from either England or the United States without unusual provocation.

France is expected to follow anything Russia may do but Germany is expected to withdraw from the new Triple Alliance in which she believes she was used as a cat's paw to carry out the aspirations of other nations. China and Japan are looked upon as important factors, but it is generally believed that they are too busy settling their financial affairs to turn to war-like proceedings again. There is an element of danger in Japan's refusal to listen to further demands.

"There is one other point to bear in mind: France has an immense floating debt, which would be a serious inconvenience to her if war were to break out. For months past it has been reported in Paris that the government had decided upon funding the rest of France (\$200,000,000) but, though the report has been repeated again and again, the transaction has not been carried through. France is not

contemplating an early recourse to war, else she would make preparations for the great loans requisite when hostilities are actually impending. Nor is it conceivable that Russia's Government would guarantee a Chinese loan of sixteen million sterling if Russia were about to be involved in hostilities. Critical, then, as the political situation is, and uncertain as is the policy of more than one of the great powers, we have strong hopes that there will be no alarm created this year, and therefore money will continue abundant and cheap, and prices will once more recover."

**THE ENABLING ACT.**

As was remarked by Representative Robertson, the House Committee on Commerce in pointing out the defects in the Cable Enabling Act and recommending a new bill should at least offer something tangible in the shape of a new bill rather than rest satisfied in finding fault with the present draft. It is next to impossible at this stage in cable matters to draw a complete bill of particulars as to where it shall land, how it shall be constructed and how much it shall cost. The present necessity is to place the Government in a position to treat with nations or corporations.

It is not to be supposed that in case the Legislature is not in session, the Executive and Council of State will enter into an unbusinesslike proceeding that will saddle this country with a burden which it is not well able to carry. This country cannot lay the cable nor can it pay more than its proportional share of the cost, even the enthusiasts to whom Mr. Ryecroft referred are not blind to these facts, but there should be no stumbling blocks laid in the way of bringing the scattering cable legislation of the various countries to a head, and if Hawaii can be the first in the systematized movement, the country ought to be prompt in taking advantage of the opportunity.

**POINTS ON HAWAIIAN CLIMATE.**

Dr. N. Russell, in an article on Hawaiian climate in the current issue of the *Paradise of the Pacific*, lays considerable stress on the predisposition to malarial diseases in the lowlands. He holds that the invigorating and debilitating effects experienced by continued residence in the districts close to the sea level are due, not to the direct tropical heat, but rather to the malarial tendencies brought about by the proximity of the surface water to the ground level. The Hawaiian malaria is not the pernicious disease so much dreaded in many countries, but as Dr. Russell says, while it kills nobody it makes uncomfortable more or less everybody, with the exception of natives, Chinese and those whites who possess the happy natural immunity against it.

The only recommendation Dr. Russell offers by which the community may be rid of the debilitating climatic effects is for the residents to keep out of the low lands and make their homes at an altitude at least 500 feet above the sea level, where proper drainage and fresh air are assured. It was Dr.

Russell who, at the convention of physicians held in this city, stated that the people of Hawaii had made the mistake of their lives by failing to follow the South American custom of removing the resident portions to the foot hills. Having established the business and resident center of Honolulu in the lowlands it will doubtless be a good many years before this section of the country will be revolutionized to meet climatic conditions, but the suggestions are worthy of attention in the development of new districts.

Hawaiian climate, although fairly near perfection, has its dangers which even cleansing trade winds and showers will not wipe out, and in many instances it stands the community in good stead to guard against these dangers as early as possible, rather than court possible pestilence by allowing the sanitary problems that face the people of this city pass from year to year with little or no attention.

To read the quotations made by one Hayne, collector of spurious articles, in the Hawaiian, and then follow the trend of Mr. Bickal's thought given in another column one would naturally infer that there is something rotten in Denmark or in other words it appears that some one has lied. Decision as to the guilty party lies between the two persons in question and the public will be more or less interested in the outcome. Whatever the truth may be in this instance, the whilom tragedian, comedian, lawyer and author has by the contents of his monthly tirade shown that there is nothing in Hawaii that suits his tastes, but he still clings to his old haunts for the "fun of the thing and old scores to be paid." It appears that the only score to be paid the railway company was a reward for a pleasant yachting trip and other courtesies tendered by the manager. Up to a certain point the manager very properly takes these offerings from whence they come, like a kick from a mule, but there is a point where the kick of a mule or the bray of an ass becomes a public nuisance. That day is drawing near for the Hawaiian.

AFTER numerous "kicks" for which by-the-way the company has become somewhat noted, the Sharpshooters now find themselves just where they started from as regards their position in the National Guard, thereby proving in the present instance as in the past, that no matter to what extent they exercise their kicking propensities, they always manage to land on their feet. A free expression of opinion, followed by a little common sense reasoning always has a good effect as will no doubt be appreciated when the matter now under consideration becomes a thing of the past.

IN LAYING down some of the laws of jingoism, the New York Sun propounds the following:

"To favor the Republic of Hawaii in its longing for union with the United States: that is American jingoism, and you can't deny it."

"To desire that the rights of the Republic of Nicaragua shall be respected by foreign powers: there's Jingoland for you."

"To believe in the Monroe doctrine, you must be a Jingo: that's sure."

"To care a swife for Americanism in America: oh, jingo!"

"Hurrah for the American flag, and you are gone to jingo!"

THE friend of the bicyclists got in his work when the Chicopee, Mass., city council passed an ordinance imposing a fine of \$2 to \$20 on any person throwing in any street, lane or ally, ashes, glass, crockery, scrap iron, nails or any other material liable to damage bicycle tires.

ALTHOUGH Colonel Spalding refuses to talk to the newspapers concerning the new cable scheme, enough concerning it has leaked out among the Senatorial colons to give it the appearance of one of the most feasible plans that has thus far been presented to the Government.

**BICKAL DIDN'T SAY IT.**

DENIES CONVERSATIONS CREDITED TO HIM IN THE HAWAIIAN.

MR. EDITOR:—You will confer a favor upon me if you will insert in the next issue of your paper the following:

I positively deny ever having made any of the statements credited to me by Julien D. Hayne in his magazine entitled *The Hawaiian* of July, 1895, excepting only the criticism made upon the man who demurred paying the penalty fee of 10 cents for not having purchased a ticket before boarding the train—a rule enforced on all railroads in the United States. I stated over my signature in your paper several days since that I was more than satisfied with the treatment I had received from the O. R. & L. Co. I know of no reason for making any unfavorable remarks about the future of the road and certainly I have no desire to injure it or any other good enterprise in this country.

Mr. Hayne met me a few days before the completion of the road and expressed a desire to make a trip over the road and write up the line, and give me credit for the

work I had performed under my contract with the company in question. I accordingly sent him word to make the trip. Regular trains had not yet commenced to run to Waianae, consequently the best accommodation I could offer after arriving at Ewa mill was our construction train. I consider his comment about sitting "back on empty saki tubs" and having "no good lunch in our observation car" a reflection upon me, which no gentleman would have made. He had a canopy top car and as good a lunch as circumstances would admit. I did not, as he very well knew, invite him to a champagne lunch, but to make a trip over a new line, which I was proud to complete and turn over to the company at the appointed time, giving him the opportunity, as I supposed, he desired to speak well of my work and the company who paid for it.

J. N. BICKAL.

**THE GUNMAKER OF ILION.**

JEFFERSON M. CLOUGH REFUSES A TEMPTING OFFER FROM THE CHINESE GOVERNMENT.

His Health Was Too Poor to Permit Attention to Business—A Great Sufferer for Many Years But Has Now Recovered.

From the Springfield, Mass., Union.

There isn't a gun manufacturer in the United States, who does not know Jefferson M. Clough, and why? Because he has been immediately associated all his life with the development of the two best American rifles, the Remington and Winchester. For years he was Superintendent of the E. Remington & Sons' great factory at Ilion, N. Y. After leaving there he refused a tempting offer of the Chinese Government to go to China to superintend their government factories, and accepted instead the superintendency of the Winchester-Arms Co., at New Haven, at a salary of \$7,500 a year.

It was after this long term of active labor as a business man that he found himself incapacitated for further service by the embargo which rheumatism had laid upon him and resigned his position more than two years ago, and returned to Belchertown, Mass., where he now lives and owns the Phelps farm, a retired spot where he has five hundred acres of land.

Being a man of means he did not spare the cost and was treated by leading physicians and by baths at celebrated springs without receiving any benefit worth notice. During the summer of 1892 and the winter of 1893, Mr. Clough was confined to his house in Belchertown, being unable to rise from his bed without assistance, and suffering continually with acute pains and with no taste or desire for food, nor was he able to obtain sufficient sleep.

Early in the year 1894 Mr. Clough heard of Dr. Williams' Pink Pills for Pale People. He began taking these pills about the first of March, 1894, and continued to do so until the first part of September following. The first effect noticed was a better appetite and he began to note more ability to help himself off the bed and to be better generally. Last August (1894) he was able to go alone to his summer residence and farm of 183 acres on Grenadier Island, among the Thousand Islands, in the river St. Lawrence, where from the highest land of his farm he commands a view for 18 miles down the river, and to the Thousand Islands can be seen.

Instead of being confined to his bed Mr. Clough is now and has been for some time able to be about the farm to direct the men employed there and he is thankful for what Dr. Williams' Pink Pills have done for him. An impoverished condition of the blood, or a disordered condition of the nerves, is the fruitful source of most ills that afflict mankind, and to any thus affected Dr. Williams' Pink Pills offer a speedy and certain cure. No other remedy has ever met with such great and continued success, which is one of the strongest proofs that Dr. Williams' Pink Pills accomplish all that is claimed for them. They are an unfailing cure for locomotor atrophy, partial paralysis, St. Vitus' dance, sciatica, neuralgia, rheumatism, nervous headache, palpitation of the heart, nervous prostration, diseases depending upon vitiated blood such as scrofula, chronic erysipelas, etc. They are also a specific for troubles peculiar to females, curing all forms of weakness. In men they effect a radical cure in all cases arising from mental worry, overwork, or excesses of any nature.

These pills are manufactured by the Dr. Williams Medicine Co., Brookville, Canada and 48 Holborn Viaduct, London, Eng. They are put up in round glass bottles, the wrapper covering which bears the full trade mark, "Dr. Williams' Pink Pills for Pale People." As there are imitations of this wonderful remedy, set that the above trade mark is on every package you purchase, and promptly refuse all imitations and substitutes.

Dr. Williams' Pink Pills are sold by The Hollister Drug Co., Honolulu, wholesale agents, and all dealers in medicine

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Carriage Hardware, Norway Iron, and Steel Tires.

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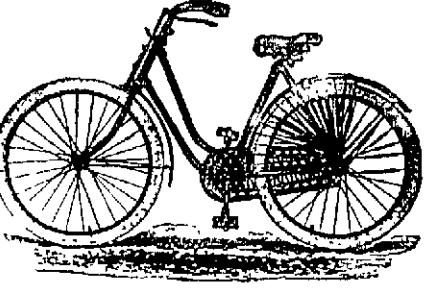
Telephone No. 40

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The Gazette issued every Tuesday and Friday.

**Timely Topics**

August 2, 1895.



Mr. Henricksen, one of the members of the executive committee who called the State Democratic convention at Springfield in the early part of June for the purpose of defining the position of the Illinois Democrats on the silver question, saw this convention prove a dismal failure, dismal even more than was predicted before the convention convened.

Instead of its being a representative gathering of the Democrats of Illinois, it proved to be a body of professional politicians and their familiar and necessary hangers on. Governor Altgeld (the anarchist Governor) and ex-Congressman Bryan were among the prominent speakers.

The most notable feature of the convention was the extreme bitterness of the attacks on Grover Cleveland and his coterie of followers for their stand on the silver question and the enthusiasm of the convention itself in applauding those attacks.

The people are thoroughly aroused and determined to have a bona fide bimetallism.

They are looking to the Republican party for the statesmanship that shall rise to the height of the requirements.

They do not intend to be cajoled by empty promises honeyed over with fine words.

"A burned child fears the fire."

The next candidate for presidential honors will necessarily have to come out flat footed on this much mooted question, and when he has voiced his sentiments it will remain with the people to decide which of the candidates they wish to represent them, and which one of the two metals, or both, shall be the basis of commodity. In the midst of all the talk and arguments for or against bimetallism there is one metal being used very extensively that very little is known about outside of manufacturers.

The Maunesmann Steel Tubing is a comparatively new arrival on the market. Being extremely hard, but at the same time a light and flexible steel, the various manufacturers of first class, high grade bicycles are using it exclusively in the construction of the frames, claiming it far superior in durability to any metal previously used.

Each frame is put together with a jig which mechanically trues it, and every frame is therefore perfectly accurate.

The frame of the "Monarch" is built for appearance and speed. Its lines are graceful and beautiful; they are also speedy and comfortable.

The Monarch frame is the ideal frame and goes a long way towards making the MONARCH WHEEL the ideal bicycle.

The Hawaiian Hardware

## LOCAL BREVITIES.

Professor Lyons and family will leave for San Francisco on the S.C. Allen on or about the 14th.

A. F. Judd and family may be addressed at Kualoa, Koolauapoko, during the remainder of August.

The engagement of Miss Duisenberg to A. Isenberg was announced at the Hackfeld christening party last night.

Miss M. E. Killean, from San Francisco, has succeeded Mrs. B. Freimann as dressmaker at B. F. Ehlers & Co.

"Tourists' Guide Through Hawaii" is the only complete guide published. For sale by Hawaiian News Company.

S. W. Kaai, residing in the district of Hana, Maui, took the oath to support the Republic of Hawaii on July 29th last.

Collector-General Castle and son have returned from Hilo. T. E. Wall is still on the big island and in charge of the Hilo customs office.

Crowell will not play with the Kams during the remainder of the baseball series. He will leave during the week to assume his duties as school teacher on Hawaii.

News has been received here that Jim Barrington, well known in Honolulu as a pugilist, was killed in a street riot in China recently, along with a number of others.

George Panila Kamaucha, member of the House from the Second Representative District of Hawaii, was granted license to practice law in all the courts of the Republic by Chief Justice Judd yesterday.

The Belgian, due from China on Friday, will bring 100 Chinese on six months residence certificates; 50 on return permits; 50 women and children, and several hundred contract laborers for the various plantations.

Four mail steamers will be due this week, as follows: Asloun from Portland, enroute to China on Thursday; Australia from San Francisco on Friday; Belgian from Hongkong on same day; City of Peking from San Francisco on Saturday.

Rev. H. C. Howland, who spent some time in Honolulu as a lecturer and palmist, was recently convicted of forgery at Los Angeles, Cal., and sentenced to two years in San Quentin. He was delivered to that institution on July 17th.

The match shoot Saturday afternoon between Co. D, the crack volunteers, and Co. F, of the regulars, resulted in a victory for the latter by a score of 406 to 367. Several members of the volunteer company fell far below their usual excellent record.

At a meeting of the Sharpshooters, held at the regular place last night, some thirty members were present. After discussion, which lasted about an hour, the Sharpshooters found themselves Sharpshooters still, with valuable time and energy spent upon objects which failed to materialize.

By the Alameda Wray Taylor received a letter from F. M. English, who formerly resided in Honolulu. Mr. English is an attorney-at-law in Denver, and also organist of the Trinity Methodist church in that city. At a recent concert given in the church, which has a very large organ, one number he played was "Hawaiian melodies."

## RACES AT WAIANAE.

## Program of Events for Meeting on Christmas Day.

At a meeting of the Waianae Racing Association, held yesterday, at the above place, Jas. R. Holt, Jr., was elected president, and R. Gilman secretary and treasurer.

Fred Smith, passenger agent of the O. R. & L. Co., representing his company, offered to transport all horses, feed, etc., over the road free of charge, besides allowing the association one-third of the gross receipts of the day for purses. Offer accepted.

and other races will be added.

Following is the list of races arranged by the association:

December 25 (Christmas Day).

1. Running Race. 1-mile dash. Free for all.

2. Running Race. 4-mile. Half bred island horses.

3. Trotting and pacing to harness (3 minute class). Best 2 in 3. 1-mile heats. Free for all.

4. Running Race. 1-mile dash. Free for all.

5. Running Race. 4-mile dash. Free for all.

6. Trotting and pacing to harness (2 40 class). Best 2 in 3. 1-mile heats.

7. Mule Race. 1-mile. Free for all.

## HIS BACHELOR LIFE IS ENDED.

Marriage of Miss Annie Schimmel fennig and D. W. Roach.

Bride and Groom Recipients of Many Valuable and Useful Presents. Shivaress by Friends

The ceremony uniting D. W. Roach and Miss Annie Schimmel fennig in the holy bonds of matrimony was solemnized last night at 8:30 in the presence of a large number of friends of the couple. The occasion was carried out without the slightest incident to mar the impressive and important epoch in the lives of those most concerned.

Promptly at the appointed hour and amid the strains of Loehengrin's beautiful wedding march, played by Professor Heitmann's string orchestra, the groom and groomsman, J. C. Strow, entered the front parlor from the veranda and took positions near the center of the room. The bridesmaids, Miss Stewart and Ladybird Turner, little daughter of F. J. Turner, came in through an inner door and stood at the opposite side. The bride's mother, and the bride on the arm of F. J. Turner, followed. After a few remarks relative to the prescribed form in giving away the bride, the bridal couple stepped to the center of the room and were pronounced husband and wife by Rev. T. D. Garvin according to the beautiful marriage service of the Christian church. The bride was given away by F. J. Turner.

Congratulations followed, after which dancing was begun and continued until a late hour. Refreshments and a sumptuous repast were served during the evening. The home of the bride's mother on Hotel street, near Alakea, was tastefully decorated with flowers and greens. Across and around the front and side verandahs were hung American and Hawaiian flags. The parlor, in which the ceremony was held, was ornamented with greens around the walls and across the room. Suspended directly over the bridal party was a large bell, composed of a mass of beautiful and fragrant flowers. Half of the window just behind where the couple stood was banked with flowers and ferns, presenting at once a tasteful and pleasing effect. Folding doors between the two front rooms made available space for the large number of spectators.

The bride wore white brocade silk, orange blossoms and long tulle veil, and carried a large bouquet of white and pink carnations. The groom was dressed in conventional black. The bridesmaids wore white, and both carried bouquets of white and pink carnations. Mr. and Mrs. Roach received a number of valuable and useful presents. The couple were treated to a genuine old fashioned chivaree early in the evening.

## CHRISTENED.

## Pleasant Evening Spent at Consul Hackfeld's Last Night.

The christening of the daughter of Mr. and Mrs. H. Hackfeld at their home last night was an event which will not be soon forgotten by those who were present. Undoubtedly it was one of the pleasantest events ever attended by Honolulu society people, some sixty of whom were present.

At 6 o'clock the ceremony of christening the daughter was performed by Rev. Hans Isenberg, of Kauai, who came to the city for the purpose. The name of Maria Dorothea was given the child.

After the christening ceremony dinner was announced. Ten tables were very tastefully arranged for the accommodation of the guests.

The tableaux in the drawing room after dinner were certainly worthy of the highest praise for artistic posing and clever arrangement of details. A stage was erected in the large bay window. Palms and ferns were used to soften the effect. Following were the tableaux, which represented famous German paintings:

1. "The Awakening of the Flowers."

2. "A Maiden From a Foreign Land"

3. "The Fates."

Those who took part were Mrs. Kopke and children, Misses Mollie Atkinson, Crane, Mabel Hartwell, Duisenberg and Girvin.

The tableaux were followed by fancy dancing, in which Misses Kate McGraw, Molly Atkinson, Crane and Girvin took part. This created a great deal of merriment. In our opinion the findings and judgment of the Circuit Court should be affirmed.

Misses Carter & Kinney for plaintiff, E. Johnson for defendants.

Dated Honolulu, July 30, 1895.

all the world as if advancing naturally. When they suddenly sprung around revealing their smiling faces, there were rounds of appreciative applause and laughter.

The evening's entertainment was appropriately closed with a dance.

During the evening the grounds and house were beautifully decorated with Japanese lanterns.

## SMOKING CONCERT.

## Honolulu Cricket Club to Give Another Entertainment.

An excellent program has been arranged for the "smoker" to be given by the Honolulu Cricket Club in the Scottish Thistle hall Tuesday evening, August 20th. Chester Doyle is down for a number, and will sing the latest topical song on that occasion, being the first time the charming melody will be heard here. Chair will be taken at 7:30 o'clock and during the evening recitations, songs, etc., will be heard. Successful concerts in the past bespeak such an entertainment by the Cricket Club on the date mentioned.

Tickets were issued to members and friends yesterday, a large number having been spoken for, guaranteeing to those who attend an evening of pleasure long to be remembered.

## In the Supreme Court of the Hawaiian Islands.

## JUNE TERM, 1895.

BEFORE JUDD, C. J., FREAR, J., AND CIRCUIT JUDGE COOPER, WHO SAT IN PLACE OF MR. JUSTICE BICKERTON, ABSENT FROM ILLNESS

KEANU V. KINO, KERUMANO, KALOKU AND KUALAU.

## Exceptions from First Circuit.

K. being the lessee of the Ahupuaa of Keli, South Kona, Hawaii, made an arrangement with his (company) of which he was a member, for the cultivation of the coffee upon the land; the coffee being sold and the proceeds divided among the members of the hui equally. After two years, K. had been disposed of K. had trouble with the hui and forbade them to enter upon the land, notwithstanding which, some members of the hui entered upon the land and did work upon it, at the same time denying the plaintiff's right to the possession of the land. Held, that an ouster had been shown and that the plaintiff was correct in bringing his action in ejectment.

OPINION OF THE COURT BY CIRCUIT JUDGE COOPER.

The plaintiff claims to be entitled to the possession of the Ahupuaa of Keli, South Kona, Hawaii, under a lease from the Trustees of Mrs. B. P. Bishop, deceased.

As it is admitted by the parties that the fee of the Ahupuaa is vested in the Trustees of Mrs. Bishop, and the lease from the Trustees of her estate to the plaintiff shows conclusively that he is the sole lessee of the land, and the defendants having claimed title from the same source, we must hold that he has successfully derailed his title.

The principal contention on the part of the defendants is that there has been no ouster; that they simply claim a right of entry upon the land for the purpose of picking the coffee crops, and consequently the plaintiff cannot recover in an action of ejectment, but should have sought his remedy in trespass if he disputed the right of defendants.

The evidence shows that the plaintiff having obtained a lease of the land in question, made an arrangement with his (company) of which he was a member, by which they cultivated the coffee lands and harvested or sold the crop, and divided the proceeds among themselves equally, after deducting necessary expenses and the rent of the land, which was at the rate of \$300 per annum, the plaintiff receiving only his individual share as a member of the hui. After two crops had been disposed of the plaintiff had trouble with members of the hui and forbade them to enter upon the land, but some of the members, including the defendants, again entered upon the land and did some work upon it, at the same time denying the plaintiff's right to possession. The plaintiff told them to quit working but they still remained and appointed a luna over his head.

This we think constituted an ouster on the part of the defendants and the plaintiff was correct in bringing his action in ejectment, and further, in our opinion Section 1129 of the Civil Code, would permit the plaintiff to bring his action in ejectment although the defendants were not in contiguous possession. None of the parties lived on the land nor were there any houses upon it.

If the defendants did not claim the right of possession they should have filed a disclaimer, but instead of that they relied upon a general denial.

If the defendants worked upon the land and have not participated in the profits to the extent that would be just to them, that would be the subject of another action but does not constitute a defense in this one.

In our opinion the findings and judgment of the Circuit Court should be affirmed.

Misses Carter & Kinney for plaintiff, E. Johnson for defendants.

Dated Honolulu, July 30, 1895.

## In the Supreme Court of the Hawaiian Islands.

## JUNE TERM, 1895.

BEFORE JUDD, C. J., FREAR, J., AND CIRCUIT JUDGE COOPER, WHO SAT IN PLACE OF MR. JUSTICE BICKERTON, ABSENT FROM ILLNESS

J. E. GOMEZ VS. HAWAIIAN GAZETTE COMPANY, LIMITED, AND H. M. WHITNEY.

To impute to another the commission of an offense involving moral turpitude and which is punishable with imprisonment is libelous *per se* if written or printed and published.

Damages are recoverable in such case, though no special damages are alleged or proven.

It is libelous *per se* to charge in a printed publication a person with the offense of selling opium, the offense being punishable by imprisonment at hard labor, and its commission involving moral turpitude and subjecting the offender to social degradation.

The statute allowing under a plea of general issue the introduction, in defense of "any matter of law or fact whatever," it was error to refuse defendant's evidence of the truth of the defamatory matter, they having pleaded the general issue but not justification.

## OPINION OF THE COURT BY JUDD, C. J.

In this case the plaintiff obtained a verdict and a bill of exceptions was allowed the defendants. The case was tried in the Circuit Court, First Circuit, it being an action of trespass on the case in which plaintiff claimed damages of the defendant Corporation and its manager for an alleged libel published in the Pacific Commercial Advertiser, a newspaper printed and published by the said defendants, in the issue of November 30, 1893.

The alleged defamatory words taken from the declaration and omitting the intenções are as follows: "Gomez and his dope. The Portuguese jeweler arrested with opium in his possession J. E. Gomez, the jeweler, was arrested last evening and charged with having opium in his possession. He was afterwards released on bail. The arrest was made in the house of a half-Chinaman named Apio, in Nuuanu Valley. Gomez had made a contract with another Chinaman to sell him thirty tins of the drug. The Chinaman had been furnished with money to buy it and last night was the date set for completing the transaction. Just as Gomez was about to pass over the opium to his possessor, the police descended and raked the whole party in."

The declaration did not allege special damages, the plaintiff relying upon the position that the words of the alleged publication were libelous *per se*. At the close of the plaintiff's case, defendants' counsel asked that the plaintiff be non-suited on the ground that the article in question did not contain words libelous (*actionable*) *per se*, and in such case the special damages must be proved and none had been proved. The Court overruled the motion and the case proceeded.

Are the words in the publication libelous in themselves?

The law applicable to libel is a creature of growth, derived from English and American judicial precedents through a long period of time. We have no statutory enactments defining the law applicable to civil suits for damage for defamatory words, either spoken or written, and we must resort to the principles laid down by judges and jurists under the common law.

The defamatory matter in question comes within that class which affects private persons and which "impedes a person the commission of a crime." Newell in *Defamation, etc.*, p. 67. Or as Starkie, Sec. 98, expresses it, "When an indictable offense is imputed." Others, Sec. 53, defines the class as "When the words charge the plaintiff with the commission of some indictable offense." The English rule seems to be that words, to be actionable without proof of special damages, or if written or printed, to be libelous *per se*, must be such as impute a crime punishable with imprisonment, and if punishable by *puniat* or *fines*, they are not actionable without proof of special damages. There has been great fluctuation of opinion in regard to this rule. Lord C. J. Holt held that not every charge of misdemeanor was actionable—only such as entailed "scandalous" and "infamous" punishment. And, since at the present day there are offenses which though not indictable are summarily punishable with imprisonment, the rule as first stated needs modification. Judge Cooley states the law as now settled and accepted by the American courts (Cooley, *Torts* pp. 198 and 7 ed. of 1889), viz.: "It is agreed upon all hands that it is not always *prima facie* actionable to impute to one an act which is subject to indictment and punishment. Importance in the law of defamation is attached to the inherent nature of the indictable act and also to the punishment which the law assigns it." Judge Cooley adopts the test laid down in the leading case of *Brooker v. Coffin*, 5 Johns. 180. "In case the charge, if true, will subject the party charged to an indictment for a crime involving moral turpitude, or subject him to an infamous punishment, then the words will be in themselves actionable." He cites approvingly *Pollard vs. Lyon*, 91 U. S., 225, where the Supreme Court of the U. S. vs. Clifford, J., say: "Words falsely spoken of a person which impute to the party the commission of some criminal offense involving moral turpitude, for which the party, if the charge is true, may be indicted and punished" are actionable.

Judge Poland in *Redway vs. Gray*, 31 Vt. 298, says: "We think that in addition to the offense charged being punished corporally it must impute moral turpitude; the true reason why assault and breaches of the peace and violation of the liquor law are not such offenses as make words charging them actionable, is because they do not necessarily, and in a legal sense, imply moral turpitude."

The grade of the offense is immaterial whether a felony or a misdemeanor. In Massachusetts it is actionable to impute drunkenness or unchastity to a woman, because both are subject to "disgraceful" punishment.

The gravamen of the action seems

to be the risk of social degradation rather than the risk of punishment. This is recognized in our statute of criminal libel where the words to be criminal must be such as "directly tend to injure the fame, reputation or good name of another person and to bring him into disgrace, abhorrence, odium, hatred, contempt or ridicule, or to cause him to be excluded from society."

Conceding that the offense imputed must be one involving moral turpitude and (or) attended with the risk of social degradation it becomes necessary to ascertain what "moral turpitude" is. As defined by Newell, p. 98, the adjective "moral" in this connection means "any manner or custom relating to or according to the received and customary rule of right and duty between man and man;" relating to the private and social duties of men as distinguished from civil responsibilities." Turpitude signifies moral "baseness, depravity or enormity."

*Id.* And "moral turpitude is defined to be an act of baseness, vileness or depravity in the private and social duties which a man owes to his fellowmen or to society in general, contrary to the accepted and customary rule of right and duty between man and man."

We are still in uncertainty, for the rule of right and wrong is derived from the state of public morals at the time.

Definitions of what actionable words are libelous are broad enough to allow adoption of decisions to changes in the social state.

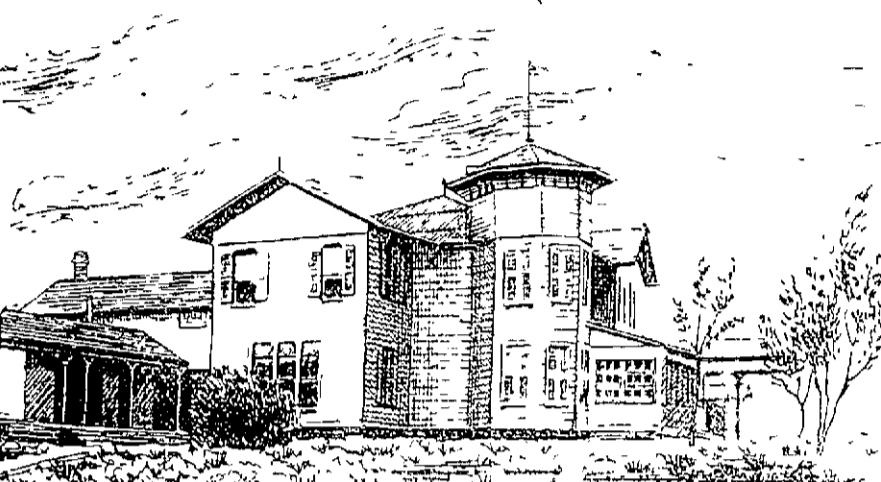
## NEWS OF HILO AND KOHALA

Collector Castle Makes Test Case  
of Landing Aliens

## TOURISTS AT THE VOLCANO HOUSE

No Lake of Fire, but Plenty of Heat and  
Smoke—Kahuna Uses his Arts on  
Madame Pele Prospective Odd Fel-  
lows Lodge—Personal Items, Etc

HILO (Hawaii), Aug. 1.—During  
yesterday, July 31st, Collector General  
Castle caused Captain Matson of the  
brig Lurline to appear before District  
Magistrate Hapai to answer to the  
charge of unlawfully landing two  
aliens. It seems that during the 29th  
of July two seamen deserted. Consular  
Agent Charles Furneaux upon



VOLCANO HOUSE WHERE A NUMBER OF TOURISTS AND ISLAND PEOPLE ARE STOPPING AT PRESENT

application to him caused their arrest  
and return to the vessel. During the  
early morning of the 31st these two  
men again swam ashore and escaped.  
The defense claimed that Act 66, re-  
lating to the landing of aliens, did not

district responded to the invitation.  
A lanai for the dancers was erected on  
the lawn, and from 8 o'clock until  
the "wee sma' hours" the dancers  
"chased the glowing hours with fly-  
ing feet."

A few evenings since a very pleasant  
dance was given by Mrs. Wallace  
at which were assembled the many  
friends of the Misses Wodehouse who  
soon leave the islands for Merrie  
England.

On the evening of the 23d the  
Literary Circle gave their monthly  
entertainment at the residence of  
Mrs. J. Hind. The author discussed  
was Nathaniel Hawthorne. There were  
many elaborate and beautiful tableaux  
representing scenes from this author's  
works. Miss M. Paulding read an en-  
tertaining paper on Hawthorne's life  
history. Mrs. J. Hind and Mr. E.  
Olding both favored with songs.  
Miss Garnett read a selection from  
one of the best of Hawthorne's works.  
A double quartet of ladies gave a  
delightful rendering of the famous  
song, "The Spinning Wheel," and they  
responded to the encore with an  
instrumental surprise. J. Barnett  
read a paper on the literary merits of  
Hawthorne's romance, "The House  
of Seven Gables." One of the pleasantest  
events of the evening was  
rendition of "The Vacant Chair" by  
a male quartet. The tableaux were  
most elaborately arranged. The literary  
newspaper, "The Sun," was read  
by the editor, Dr. Bond, and its scintilla-  
tions of wit and humor formed an  
agreeable climax to the evening's enter-  
tainment.

On Thursday night Mrs. G. F.  
Renton gave a pleasant card party to a  
few of the friends of her guest, Miss  
J. Tener.

The musical given at Mrs. J. Ren-  
ton's residence on Monday in honor of  
Miss Craig was a delightful surprise,  
given by the ladies of the Literary  
Circle and their guests to a few of their  
friends.

Some of the guests at Peter Lee's  
tavern are as follows: Hon. John Ena,  
wife and two daughters, Mr. and Mrs.  
George Buckley, Messmates Deacon,  
Perry, C. A. Brown and Needham,  
Misses Zoe Atkinson, Hattie Need-  
ham and Julia Perry, Prof. Henshaw,  
Perkins, the naturalist, quite a num-  
ber of transient visitors, and a host of  
children who thrive in the cool moun-  
tain air.

"Lug" Wilson who drives the volcano  
bus announces his arrival at the vari-  
ous coffee ranches along the route by  
a blast on a bugle.

It is rumored that the fire hall in  
the new Spreckel block is to be used  
by a lodge of Odd Fellows. The I. O.  
O. F.'s of Hilo are not yet organized.

Mrs. Frank Cooke of Honolulu is  
the guest of Dr. Wetmore.

It is stated that the Indians will  
act as a substitute for the Kinaus for  
two trips after this one, making three  
trips in all.

During Wednesday, July 31st, Mrs.  
S. L. Austin organized a delightful  
picnic party to Coconuts Island.  
During the same day Judge Hapai  
gave a luau to Hon. John Ena and  
party.

Messrs. Castle and Wall of the  
Honolulu custom house have been  
busy in checking the books recently  
kept by Collector Notley. It is gen-  
erally believed that carelessness in  
entering accounts is the cause of all  
the trouble.

On Saturday evening, July 27th, a  
dinner party was given at Kalwki in  
honor of the birthday of F. M. Wake-  
field, Esq.

On the afternoon of July 27th all  
Hilo was startled by sundry peals  
from the fire bell. Men rushed up  
the street, people hurried out of their  
houses; in fact there was quite a  
sensation in town simply because a  
workman was ascertaining whether  
the bell in the new engine house was  
in order to go.

The Hilo brass band of twenty-one  
pieces will give a concert in the court  
yard Saturday & Monday evening,  
August 4th.

W. C. Clark of Makawao sent his  
coffee and in return  
H. A. Ansfield Kauai and W. A.  
McKey of Waimea visited Hilo during  
the week.

On Monday, July 30th, the  
three masted schooner Volante re-

turned from Kauai and is discharging  
the rest of the lumber at Waianae.

The brig Lurline, Matson master,  
sails today for San Francisco. She  
takes one passenger, Mrs. Frank  
Smith.

The steamer Lehua was reported  
yesterday to Laupahoehoe.

Weather—Rain during the past  
few days. Four inches fell during  
Tuesday night, July 30th.

## SOCIAL GAIETY AT KOHALA.

Meeting of Literary Circle—Parties and  
Picnics Galore.

KOHALA (Hawaii), Aug. 1.—The  
midsummer holiday season has been  
a period of more than usual gaiety in  
Kohala. There has been a large  
number of visitors here this summer  
who have added materially to the  
social pleasures. And for the last  
few weeks there has been a pretty  
constant round of picnics, dances and  
parties. One of the most delightful  
of these gatherings was given on  
Wednesday night by Mrs. James  
Renton and Mrs. Henry Renton in  
honor of their guests, the Misses  
Sorenson and Miss Craig, whose visit  
here soon terminates. The whole

In a few short weeks one of the  
boldest and most startling episodes in  
the history of the world will be made  
known by an attempt to carry out a  
plan that has been quietly worked  
throughout the Chinese empire and  
wherever representatives of that nationality  
reside. This is nothing short  
of a revolution, having for its object  
the overthrow of the Kong Ki dynasty,  
now ruling in China. It is a well known  
fact to those in the confidence in the Chinese  
that this act has been brewing for a long time—per-  
haps years—and on account of the  
enormity of the undertaking, preparations  
have been, of necessity, carried  
on quietly for fear of untimely  
interference. Previous to the late  
war between China and Japan the  
coup d'état was about ready to be  
sprung, but breaking out of hostilities  
made it necessary to postpone the plan. The present is said to be a  
most opportune time for carrying out,  
as before related, the long-cherished  
and by far the most savage  
blow for liberty yet attempted in any  
country. The dissatisfaction existing  
among Chinese against the present  
reigning ruler of the empire will have  
its culmination by simultaneous attacks  
being made, first at Canton, and  
in the Cantonese provinces. There  
the first strike toward overthrowing  
the Chinese dynasty and establishing  
in its place a purely representative  
and republican form of government  
will be made. Internal dissensions  
will be brought about as if by  
one accord, and before the ruling  
powers are aware of it, the whole  
empire will be in arms. Advantage  
is to be taken of the present helpless  
condition of the Chinese government,  
thereby preventing what would otherwise  
be a strong opposition. The story of the contemplated revolt  
in favor of a republic in China on the  
lines of that of the United States, was  
learned from a wealthy Chinese  
resident of these islands, who  
is among the chief supporters of the  
movement, a trusted agent of Li Hung  
Chang, and one who has taken a  
prominent part in inducing local Chinese  
to recruit and return to China  
and take part in the conflict. His  
story is that Li Hung Chang has been,  
for a number of years, secretly plotting  
to overthrow the present dynasty of  
China, and proclaim himself or son  
Li, president. To this end Chinese,  
both home and abroad, have been interested  
in the movement through  
heavy rewards and glowing promises  
of the progressive nation to be  
made out of China. Trustworthy  
agents were sent to the United States,  
Cuba, Canada, Hawaiian Islands, and  
other places where Chinese reside in  
any respectable number. The duty of  
these agents was to form societies,  
commonly known as Chinese Progressive  
Political Society. Assessments are  
levied upon each member, the  
total amount being transmitted to an  
agent in Canton. Allied with Li  
Hung Chang are many eminent Chinese  
who have been educated in  
American colleges, and through these,  
with powerful friends at court, the  
scheme has been worked to a point  
where the blow is ready to be struck  
at any moment. Slowly but surely  
Mongolians have been returning to  
their native land with acquired savings,  
most all of them being well  
versed in modern warfare and accus-  
tomed to handling the latest makes of  
firearms and cannon. A number of  
foreigners have been brought into the  
empire as teachers and masters of  
drill, whose duty it is to instruct Chi-  
nese in all branches of warfare. Arms  
have been purchased both in England  
and America for the expected revolt,  
and will be available at the proper  
time.

In the Hawaiian Islands, where  
there are some 25,000 Chinese, com-  
posed of all classes, selection has been  
made of those who are able and willing  
to join fortunes with the revolutionists.  
During the past two years  
hundreds have left the Islands, taking  
with them savings of several years,  
until at the present, it is estimated,  
that the total number having left for  
this purpose being over 3,000.

A wealthy and prominent Chinaman  
of Honolulu is now in China, whether he was called by Li Hung  
Chang, to receive latest news concerning  
the conspiracy. He has been an  
active agent of the movement in the  
Hawaiian Islands. The party men-  
tioned is now in Hongkong, where he  
is safe from possible arrest and sum-  
mary punishment should his mission  
become known. He carried with him  
from Honolulu an amount equaling  
something over a million dollars,  
which had been saved and paid into  
the fund for carrying on the coming  
war. As soon as the emissary returns,  
being expected by the next steamer  
from the Orient, further particulars  
will be available.

**Teachers' Benefit Society.**

There is one subject which might  
be ventilated at the summer school  
which we believe has never been  
mentioned in the islands, a teachers  
benefit society. A large number  
of teachers now belong to the is-  
lands who probably will never leave  
them. They will not be young  
adults and some provision for age  
and infirmities should be made

especially for those who have the lowest  
salaries. Several good plans are in  
vogue in other countries by which  
profitable returns are made for  
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There is one subject which might  
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lands who probably will never leave  
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## A BOLD STRIKE FOR LIBERTY.

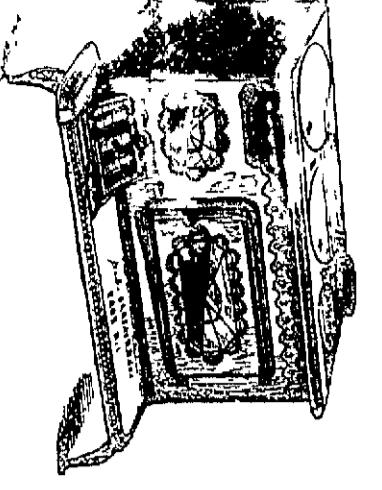
Everything in Readiness for a Rev-  
olution in Chinese Empire.

## REPUBLIC IS WANTED IN CHINA

LI Hung Chang Secretly Plotting to Over-  
throw Present Dynasty and Become  
President—War Fund Contributed by  
Mongolians—Agents in Honolulu

## JOHN NOTT,

IMPORTER AND DEALER IN



## Steel and Iron Ranges

STOVES AND FIXTURES.

## House Keeping Goods

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## Kitchen Utensils.

## AGATE WARE, RUBBER HOSE

PUMPS, ETC., ETC.

## Plumbing, Tin, Copper

— AND —

## Sheet Iron Work.

## DIMOND + BLOCK

KING STREET

Of Interest to Managers of Plan-  
tations.

A Model Plant is not complete without  
Electric Power, thus dispensing with  
small Engines.

Why not generate your power from  
one CENTRAL Station? One generator  
can furnish power to your Pumps, Centri-  
fugals, Elevators, Plows, Railways and Hoists;  
also furnish light and power for a  
radius of from 15 to 20 miles.

Electric Power being used saves the  
labor of hauling coal in your field, also  
water, and does away with high priced  
engineers, and only have one engine to  
look after in your mill.

Where water power is available, it  
costs nothing to generate Electric Power.

The HAWAIIAN ELECTRIC COMPANY is  
now ready to furnish Electric Plants and  
Generators of all descriptions at  
short notice, and also has on hand a  
large stock of Wire, Chandlers, and all  
Electrical Goods.

All orders will be given prompt atten-  
tion, and estimates furnished for Light-  
ing and Power Plants; also attention is  
given to House and Marine Wiring.

THEO. HOFFMANN, Manager

3940

SUCCESSION TO

## CHAS. SCHAFER &amp; CO.

ARLINGTON BLOCK, HONOLULU, H. I.

Fine confections and chocolates put up espe-  
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News, Periodicals, latest Coast Papers and  
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If you wish to subscribe for any paper or mag-  
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Send us your COFFEE either  
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COFFEE taken from ship's

side, hulled, cleaned and delivered to  
any designated warehouse in this city

No charge for insurance and  
and storage while COFFEE is in our  
mills

AT THE —

Most Reasonable Rates, and on the

Most Favorable Terms.

## MR. THURSTON'S CABLE REPORT.

Reasons Why Hawaii Should Assume the Initiative.

## PROBABLY CANADIAN ATTITUDE.

United States Legislators Not in Favor of Government Control—Find Out Cost of Material Private Company Seems to Offer the Best Scheme.

Lorin A. Thurston's review of the Pacific cable situation is an exhaustive statement of what has been done in the past, the possibility of future action on the part of other governments, and suggestions for the conduct of the Hawaiian Government. There have been four different methods of establishing a Pacific cable proposed during the past year, viz:

1. By England, Canada and Australia, from Vancouver to Australia.  
2. By the United States Government, from California to Honolulu.  
3. By the French Cable Company owning the line from Australia to New Caledonia; via Samoa to Honolulu and San Francisco, and including Tahiti in the circuit.  
4. By an American company from California to Honolulu, there branching to Japan and Australia.

## PAST ATTITUDE OF HAWAII.

While successive Hawaiian Administrations have favored the establishment of trans-Pacific cable communication, their attitude has been a passive one. They have successively been willing to grant subsidies and privileges to other governments and private companies, but have never themselves taken the initiative.

It is submitted that, next to annexation to the United States, cable communication with the outer world is of the first importance to Hawaii; and to secure it should be made a leading feature of the policy of the present Government. If this proposition is correct, I further submit that there are two old saws applicable to the situation, viz: "The Lord helps them who help themselves," and "If you want a thing done, do it yourself; if not, get some one else to do it." For the past twenty odd years Hawaii has passed acts, granted franchises and listened to propositions without securing a foot of cable or materially advancing the prospect that one will be laid.

It is further submitted that the facts hereinbefore recited disclose a condition of affairs under which it is not only legitimate and proper for the Hawaiian Government to itself take the matter up and actively promote the enterprise; but that such course will be founded on sound business principles and good statesmanship.

There is no lack of precedent in the past history of Hawaii for the course suggested.

(1) When steam communication between the islands was not profitable enough to warrant private capital in engaging therein, the Government bought steamer and carried on the business for years, until it became self supporting.

(2) When there was not enough travel to support a good hotel in Honolulu the Government built one.

(3) Before private capital could be prevailed upon to take up the Honolulu water works and electric lighting the Government constructed the necessary plants and still operates them.

All of these enterprises have proved beneficial to the public, although each proposition was opposed when first projected.

Remarking on the difficulties in the way of the speedy success of the Canadian plan, Mr. Thurston notes the "Opposition of the Eastern Extension Company," which has a monopoly of the Australian business, "Opposition to government ownership," as developed at the Ottawa conference, the apathy of the Imperial Government toward giving financial aid, "Difficulty of making the cable exclusively British," and the "Opposition of South Australia." After fully discussing the above topics Mr. Thurston says:

"Experience has demonstrated that the men at the head of both the Canadian and the Southern Colonial governments, are bold, brazen, resourceful and capable of overcoming obstacles far greater than those now in the way of the Pacific cable; but it seems to be a reasonable inference to draw from the foregoing facts, that, unless there is a radical change in the attitude of the Imperial Government toward the enterprise, there will at least be a considerable delay in the consummation of the project."

The prospects of cable construction by the French Cable Company are not regarded as encouraging. Of construction by the United States Government the following is said:

Although the proposition to construct a government cable from California to Hawaii secured such a strong majority at the last session of the Senate and such a large minority in the House of Representatives; and although the next House of Representatives is overwhelmingly Republican, and the measure is practically a Republican one, the Republicans in both Houses voting in favor of the measure almost to a man, I do not think there is much probability of a cable being laid by this means within several years, if at all.

My reasons for this opinion are.

First.—That there has for years existed and still exists a strong sentiment in all parts of the United States against government ownership of cables, telegraphs, railroads, etc.

There has of late been a rapid development of a contrary sentiment, but it cannot yet be claimed to be the dominant sentiment upon the subject. It is of my personal knowledge that several strong advocates of the re-cess proposal to lay a government cable to Honolulu would personally much have preferred some other means of accomplishing the object, a subsidy or guarantee for example, but advocated the measure on the ground of its patent necessity and the fact that no other medium appeared to be feasible at that time.

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Notwithstanding the strong support given to the proposition at the last session of Congress, it is not at all certain that the next Congress will support a similar measure, especially if a private company, with any plausible prospects of success in laying the cable, applies for a subsidy to assist in so doing. There is little doubt in my mind that the application at the last Congress for a charter was injurious to the government ownership proposition, although it was not intended so to be, and although there was no prospect of early action by such company.

Second.—From Mr. Cleveland's past expressions on the subject, I think it not at all improbable that he would veto a proposition for the government construction of the cable, if not a subsidy to a company.

Even though a government appropriation should be made, Congress does not meet until next December, and the appropriation bills are not passed until the end of the session which does not usually end until some time between June and September; this involves a delay of fifteen or eighteen months before we will know whether the proposition is to be favored or rejected.

The proposition to construct the Nicaragua canal either by the government directly or through a subsidized company has been for years before the American public; has received the enthusiastic support of Legislatures, Chambers of Commerce and individuals throughout the country; has been favorably recommended by the presidents of both parties and by the several committees of both Houses of Congress to which it has been referred, and yet year after year legislation carrying out the proposition has failed of enactment.

With this example before our eyes we should not spare any effort on our part because of expectation that the cable may be constructed by the United States Government without action on the part of Hawaii.

Construction by an American cable company appears to be the most feasible plan. The following suggestions are made for Government action:

First. Secure as soon as practicable from a competent cable engineer or engineers, a full, technical opinion setting forth:

(1) The needed size, weight and composition respectively of a cable from California to Honolulu; from Honolulu to Japan; from Honolulu to Australia.

(2) The engineer's estimate of cost of each of these lines.

(3) The tonnage, power and equipment of a cable repair ship for the California-Honolulu line; likewise for such additional lines.

(4) The engineer's estimate of the cost and annual running expense of each such ship.

After obtaining such opinion and estimates, draw up, under the supervision and advice of such engineer, full detail specifications, setting forth the location, length and character of the several cables designated.

Submit such specifications to the respective builders of cables, and obtain from them tenders setting forth:

(1) For what sum they would build each such cable; or any two, or all of them, f. o. b. at the nearest point of shipment.

(2) For what sum they would do likewise and lay, operate and keep such cables in repair, respectively, for a period say, of two or three years.

(3) Procure tenders of a similar character for furnishing the necessary cable ship or ships.

Before any government or company can be reasonably expected to undertake definite action it must know two things, viz: (1) What is required? (2) What it will cost? We do not now know either of these facts, but both of them can be ascertained at slight cost.

PROCEDURE AFTER INFORMATION IS SECURED.

Having in hand the information from the engineer defining exactly what we want; the tenders showing exactly what we can get it for and the information as to what we can depend upon both from private individuals and other governments, we will then be in a position to decide what is best for ourselves to do.

What this course may prove to be depends entirely upon the information developed and the outside assistance available.

It is not necessary now to decide upon what course should be pursued; there are several methods of procedure however, any one of which might be adopted which seemed best under the circumstances as they appear at that time.

A. C. Ruleson, Jr., of San Francisco, arrived yesterday morning by the Kinai, from Hilo, and is at Mrs. Bailey's, Makawao. Mr. Ruleson has been making a tour of the islands and will take in Haleakala while here.

The schooner Mary Dodge left port Wednesday morning en route for Fanning's Island.

The Forest Queen is expected to get away Wednesday next.

Weather this morning, windy but clear.

MISS D. LAMB

Notary Public.

Office of J. A. Major, Notary Public, near the Post Office.

LYLE A. DICKEY,

Attorney-at-Law.

No. 11 Kuhiohuanu St., Honolulu, H. I.

1895.

The Advertiser 75 cents a month. Delivered by carrier.

NEWSPAPER ARCHIVE®

## LATEST NEWS FROM MAUI.

Heavy Rains Make the Ranchers Happy.

## BUSINESS AND SOCIETY NOTES.

Horses Auctioned at Low Figures—Camps Making Extensive Plans—Mr. Walsh Visiting Old Friends—Mohollie Calls in for Unfortunate Passengers.

MAUI, August 3.—Last year much complaint was made about the dry weather, and hard times and depression of business, was laid to that cause. But this year old Jupiter Pluvius seems resolved that no such cry shall be raised against him. Tuesday night he began to pour down his showers and has kept it up most bountifully to the present time. In consequence irrigation ditches are full to the brim, cisterns are well supplied, roads are muddy, and plantation men and ranchers are no doubt happy. The storm has been a most general one, covering all parts of Maui, and is considered very unusual for this time of year.

Dr. R. I. Moore, the dentist, from Honolulu, is at present at Dr. Aiken's, Paia, and is prepared to attend to any and all who may be unfortunate enough to require dental attention. Appointments may be made by telephone.

E. M. Walsh, wife and two children, arrived by the Likelihi, Wednesday morning, and are the guests of C. H. Dickey, Haiku. Mr. Walsh is quite a kamaaina in these parts, Makawao having been his home for a number of years.

Yesterday morning about 6:30 o'clock, the little steamer Mokoli'i, dropped anchor in Kahului bay, and sailed about an hour later, with thirteen leper suspects on board, en route for the receiving station in Honolulu. Ten of this number came from Makawao district, the balance from Wailuku. Twelve of them were natives and one, a Chinaman. Their departure was the occasion of much weeping and wailing. The authorities have been quite assiduous in their search for such suspects here lately, and have a number more under surveillance.

Miss Lucy and Mr. Walter Hayselden departed for their home in Lahaina, last Tuesday afternoon, after a ten days stay at Haiku.

The literary which was to have occurred at Maunaolu seminary, was postponed on account of the weather.

There is talk of a novel camping party to start out of Makawao some time in the near future. The members of the party, names unmentioned, are to accomplish their

journey on foot; are to proceed to Hana, by Huelo way, and from there on around, circling East Maui, and expect to do it in a marvelously short space of time.

Whether their courage holds out long enough for them to make the attempt remains to be seen.

Willow Baldwin leaves per Likelihi this evening for Makaweli, Kauai, after nearly a month's vacation at his parents' home, Haiku.

An auction sale of horses was held in Wailuku last Saturday. Prices brought were very low.

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NEWSPAPER ARCHIVE®

## Pacific Hardware Co.

Did it ever occur to you that we may have just what you want? That it will save you lots of running around town to come direct to our store?

If you cannot spare the time ring up telephone No. 16. Give us your order and we will see that you get just what you want.

Our clerks are all responsible men and can be relied upon to send what you require.

If you are located on one of the other Islands we respect your orders and give them the same prompt attention.

Recently we have greatly enlarged our stock in each department and feel justified in asserting that whatever you may need we can supply you.

## PACIFIC HARDWARE CO.

## JUST RECEIVED

## HENRY CLAY AND

## BOCK &amp; COMPANY

## Choice Havana Cigars

## Hollister &amp; Co.

## HALL'S COTTAGE PAINTS

Do seem to please our customers a little better than any thing ever before brought to the Islands in the line. If you want cheap mixed paints do not call for these as they are made of pure lead, oil and colors, and not of "Long Island dirt" mixed with fish oil. They are cheap though if you wish to take lasting qualities and choice tints into consideration.

Our "NAVY DECK AND FLOOR PAINTS" also take well. These are especially prepared for floors and dry hard in a night.

Now that we have received our big invoice of GARDEN HOSE, and the pumping plant is about to get in its daily work, no one with a home should be without a garden or a nice green lawn. The hose we have is so well and carefully made that a 3-ply hose will last better than 4-ply of other makes, and is lighter to carry about.

CITIZENS GUARD, ATTENTION! A good deal of interest is being taken in Citizens Guard Company's on every island in target practice, and the Hilo Citizens Guard is about to issue a challenge for a 10-man match at 200 yards, with a National Guard of Hawaii Company. They all come to us when they want cartridges or targets, and many are learning to reload their old shells and can thus afford many more rounds per month, per man. We keep in stock the best assortment of loading tools, powder measures, lead ladies and moulds. Also the correct thing in way of powder, primers, lead, tin, etc. We have targets, and paper to make targets, and cutters to make pasters, and after you get an outfit from us you will be able to make 5's and 4's right along provided always that you are steady, if not the bromide store is right handy on the opposite corner from us. We also have a few of the best Military Target Rifles made. Scores of 47, 48 and 49 out of 50 made at the Honolulu Rifle Association range weekly prove this. The price is low and every man who enjoys target practice can afford to have one.

Call and satisfy yourself about our stock of all these things and our prices as well.

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Awarded  
Highest Honors—World's Fair,  
Gold Medal—Midwinter Fair.



A pure Grape Cream of Tartar Powder. Free from Ammonia, Alum or any other adulterant.

In all the great Hotels, the leading Clubs and the homes, Dr. Price's Cream Baking Powder holds its supremacy.

40 Years the Standard.

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FOR SAN FRANCISCO OR VANCOUVER  
On or About

Australia... Aug. 9 Belgo... Aug. 9  
City Peking... Aug. 10 Australia... Aug. 14  
Warrimoo... Aug. 24 Monowai... Aug. 22  
Mariposa... Aug. 29 Miowera... Aug. 31  
Australia... Sept. 2 Rio Janeiro... Sept. 6  
Coptic... Sept. 19 Australia... Sept. 7  
Miowera... Sept. 24 Alameda... Sept. 19  
Monowai... Sept. 26 Warrimoo... Oct. 2  
Australia... Sept. 30 Australia... Oct. 24  
Australia... Oct. 21 China... Oct. 6  
Warrimoo... Oct. 24 Mariposa... Oct. 17  
Alameda... Oct. 24 Miowera... Nov. 1  
China... Oct. 29 Coptic... Nov. 6  
Australia... Nov. 15 Warrimoo... Dec. 2  
Miowera... Nov. 24 City Peking... Dec. 6  
Coptic... Nov. 23 1895.  
Warrimoo... Dec. 24 Miowera... Jan. 1  
City Peking... Dec. 28

#### Meteorological Record.

BY THE GOVERNMENT SURVEY. PUBLISHED  
EVERY MONDAY.

	ATMOSPHERE	BAROMETER	THERM.	HYDRO.	RHEO.	RAINF.	WIND.	WEATHER.	TIME.
SUN	28 07 70.03	72	85	13	73	3	N.E.		8
Mon	29 10 70.06	74	86	16	67	6	S.E.		8
Tue	30 09 70.95	71	85	17	74	2-5	N.E.		8
Wed	31 05 70.99	75	85	07	77	10	N.E.		8
Thur	01 05 70.94	77	86	17	77	10	N.E.		8
Fri	02 05 70.90	76	86	17	77	10	N.E.		8
Sat	03 05 70.95	77	86	17	77	10	N.E.		8
Sun	04 05 70.95	77	86	17	77	10	N.E.		8

Barometer corrected for temperature and elevation, but not for latitude.

	BORN.	DEPARTURE	ARRIVAL
SCOTT	At Makawehi, Kauai, on the 2d inst. Mrs. James Scott, prematurely, of a son, still born.		

For San Francisco, per bark R. P. Rithet, Aug 4—Rev B Howard, wife and child, Mrs W Woods and child.

For Kauai, per stmr James Makee, Aug 5—Misses Smith, Leonard and Zeigler.

For Hawaii and Maui, per stmr W G Keach, Mr McWayne, J P Silva, Mrs Geo Taylor, Lwin Tempky, wife and child, Miss Estelle Miss Lowrey, Goo Lip, Mrs. man and wife, Mr Hobon, Mrs. Hessler, W H Dillingham, Miss Patry, Miss M Kennedy Miss Huston, A V Soares, Mrs Wray Taylor and child, Geo B Schaefer, Miss Gallagher, Mrs H Bell and children, Mrs J M Vivas and children, G D French, Miss Cahill, Mrs Akana, and 65 on deck.

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